

DIFFERENTIAL ATTENDANCE IN THE RESERVE COMPONENT: CAUSATION AND RECOMMENDATIONS FOR IMPROVEMENT

A Monograph

by

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2014-01

REPORT DOCUMENTATION PAGE					<i>Form Approved OMB No. 0704-0188</i>							
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PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.												
1. REPORT DATE (DD-MM-YYYY) 22-05-2014		2. REPORT TYPE SAMS Monograph			3. DATES COVERED (From - To) JUN 2013 - MAY 2014							
4. TITLE AND SUBTITLE Differential Attendance in the Reserve Component: Causation and Recommendations for Improvement.					5a. CONTRACT NUMBER 5b. GRANT NUMBER 5c. PROGRAM ELEMENT NUMBER 5d. PROJECT NUMBER 5e. TASK NUMBER 5f. WORK UNIT NUMBER							
6. AUTHOR(S) MAJ Douglas A. ludwick					8. PERFORMING ORGANIZATION REPORT NUMBER 							
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) U.S. Army Command and General Staff College ATTN: ATZL-SWD-GD 100 Stimson Ave. Ft. Leavenworth, KS 66027-2301					10. SPONSOR/MONITOR'S ACRONYM(S) 11. SPONSOR/MONITOR'S REPORT NUMBER(S)							
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES) 												
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution is unlimited.												
13. SUPPLEMENTARY NOTES 												
14. ABSTRACT This monograph examines causal links between differential attendance rates in the Army's reserve components. It also seeks to discover effective policies and procedures that reduce unsatisfactory participant rates in the reserve components, comparing the effectiveness of federal and state civil and military codes regarding attendance. Unsatisfactory participants constitute more than five percent of the total strength of the Army Reserve, wasting approximately \$150.4 million per year. Efforts by commanders and the streamlining of administrative processes, specifically the removal of non-participants from the Selected Reserve, are effective at reducing nonparticipation. Efforts to increase the number of trained and ready reserve component Soldiers increases the ability of the reserve components to fulfill both domestic and international missions.												
15. SUBJECT TERMS Army Reserve, Sicily, nonparticipation, National Guard, Unsatisfactory Participants, Drill Attendance												
16. SECURITY CLASSIFICATION OF: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 2px;">a. REPORT</td> <td style="width: 33%; padding: 2px;">b. ABSTRACT</td> <td style="width: 33%; padding: 2px;">c. THIS PAGE</td> </tr> <tr> <td style="text-align: center; padding: 2px;">Unclassified</td> <td style="text-align: center; padding: 2px;">Unclassified</td> <td style="text-align: center; padding: 2px;">Unclassified</td> </tr> </table>			a. REPORT	b. ABSTRACT	c. THIS PAGE	Unclassified	Unclassified	Unclassified	17. LIMITATION OF ABSTRACT UU		18. NUMBER OF PAGES 57	
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Unclassified	Unclassified	Unclassified										
			19a. NAME OF RESPONSIBLE PERSON 19b. TELEPHONE NUMBER (Include area code)									

MONOGRAPH APPROVAL PAGE

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Monograph Title: Differential Attendance in the Reserve Component: Causation and Recommendations for Improvement

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the US Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

DIFFERENTIAL ATTENDANCE IN THE RESERVE COMPONENT: CAUSATION AND RECOMMENDATIONS FOR IMPROVEMENT, by MAJ Douglas Alan Ludwick, 44 pages.

This monograph examines causal links between differential attendance rates in the Army's reserve components. It also seeks to discover effective policies and procedures that reduce unsatisfactory participant rates in the reserve components, comparing the effectiveness of federal and state civil and military codes regarding attendance. Unsatisfactory participants constitute more than five percent of the total strength of the Army Reserve, wasting approximately \$150.4 million per year. Efforts by commanders and the streamlining of administrative processes, specifically the removal of non-participants from the Selected Reserve, are effective at reducing nonparticipation. Efforts to increase the number of trained and ready reserve component Soldiers increases the ability of the reserve components to fulfill both domestic and international missions.

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ACRONYMS

AAA	Army Audit Agency
AC	Active Component
AFQT	Armed Forces Qualification Test
AFRES	Air Force Reserve
ANG	Air National Guard
ARNG	Army National Guard
AWOL	Absent without Official Leave
BCT	Brigade Combat Team
CAR	Commander of the Army Reserve
CGSC	Command and General Staff College
DOD	Department of Defense
FTR	Failing to Report
IRR	Individual Ready Reserve
MCR	Marine Corps Reserve
MSC	Major Subordinate Command
NAVRES	Navy Reserve
NG	National Guard
NGB	National Guard Bureau
NOALPAY	No Pay—Validated Status
RC	Reserve Component
SA	Secretary of the Army
SAMS	School of Advanced Military Studies
UCMJ	Uniform Code of Military Justice
UNSATS	Unsatisfactory Participants
USAR	United States Army Reserve

GLOSSARY

No Pay—Validated Status—National Guard soldiers that have not been paid in 120 days.

Non Participant—Reserve soldier that has not been paid in the last 90 days.

Unsatisfactory Participant—A Reserve Component soldier that accumulates nine or more unexcused absences in a twelve-month period or a soldier that failed to attend annual training.

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INTRODUCTION

Never in our Nation's history has the Army Reserve been more indispensable to America's Army. After a decade of war, the Army Reserve has evolved into an essential part of the Total Force with streamlined, deployable forces, and Citizen-Soldiers who embody the warrior mindset and culture. Steady demand for Army Reserve capabilities has introduced a new paradigm ` reliance on the Army Reserve as a positive investment for America and critical part of our national security architecture.¹

- LTG Jeffery Talley – *Rally Point*

The Problem

Unsatisfactory Participants (UNSAT) in the United States Army Reserve (USAR) waste approximately \$150.4 million per year.² The wasted resources and non-availability of approximately 9,700 Soldiers (5.0% of the assigned strength of the USAR), represent a significant challenge to the USAR and a major loss of capability to the Army as a whole.³ The failure of the USAR to meet its Fiscal Year 2013 recruiting goal exacerbates this problem by lowering the number of available Soldiers further. The Selected Reserve (SELRES) of the USAR assigned strength as of January 2014 was 194,398 of the congressionally authorized strength of 205,000.⁴ Once USAR Soldiers have not been paid for 90 days they become non-participants (NP) and are classified as non-available for deployment. USAR Soldiers classified as non-

¹LTG Jeffery Talley, *Rally Point* (Fort Bragg, NC: United States Army Reserve Command, 2012), http://www.eturabian.com/turabian/school_Pamphlets_etc_online.html (accessed 23 February 2014).

²Laura L. Hoffman, "Information Paper—Nonparticipants (NPS) and Unsatisfactory Participants (UNSAT)" (Fort Bragg, NC: U.S. Army Reserve Command, 2 August 12).

³B. Lynne Owens, "Army Reserve G1 Informational Brief" (Lecture, USAR Battalion Brigade Pre-Command Course, Raleigh, NC, 16 January 2014).

⁴*Ibid.*

available for deployment due to all causes total 47,246 (24.3 percent of the assigned strength of the USAR).⁵ By comparison, the active duty non-available rate is approximately 12 percent.⁶

Units in the Army Reserve vary greatly in UNSAT rates.⁷ As of 15 March 2014, the USAR was organized into thirty Major Subordinate Commands (MSC).⁸ The MSCs are divided into three major types: mission focused Operational and Functional Commands, geographic based Support Commands and training commands.⁹ While the USAR as a whole averages an UNSAT rate of 5.0%, the five major subordinate commands (MSCs) with the highest UNSAT rates average 7.70 percent of the MSC assigned strength while the five MSCs with the lowest UNSAT rates average 1.34 percent of assigned strength.¹⁰ All of the MSCs are subject to the same policies of the USAR. No studies to determine the systematic reasons for the differential performance among the MSCs exist.

The Army National Guard (ARNG) also demonstrates differential effectiveness in efforts to promote satisfactory participation. While ARNG data for the UNSATs is unavailable, the accessibility of No Pay–Validated Status (NOVALPAY) for the individual ARNGs is obtainable

⁵Ibid. Soldiers non-available in the USAR include 5,522 deployed Soldiers. With these Soldiers removed, the resulting non-available rate is 21.46%. Active duty does not include deployed Soldiers as non-available.

⁶Ibid.

⁷Ibid., 16.

⁸United States Army Reserve, “Army Reserve Commands,” Official Site of the United States Army Reserve, 25 March 2014, <http://www.usar.army.mil/ourstory/commands/Pages/default.aspx> (accessed 25 March 2014). Examples of an Operational and Functional Command include the 200th Military Police Command and the 311th Theater Signal Command. Examples of Support Commands include the 63rd and 99th Regional Support Commands. Examples of Training Commands include the 75th and 84th Training Commands.

⁹Ibid.

¹⁰Ibid.

from the National Guard Bureau (NGB).¹¹ The availability of NGB data enabled the statistical analysis presented in this monograph since similar data for the USAR is not available.

NOVALPAY data reflects a Soldier that has not been paid in the last 120 days and while this does not directly represent UNSAT data, the NOVALPAY rate reflects the individual ARNG attendance rates.¹²

This monograph attempts to identify structural characteristics or regulatory policies that have a direct correlation with the National Guard NOVALPAY rate and could be assumed to also reflect trends in the USAR. The first structural characteristic studied is whether lower per capita personal income of the entire population of a state or territory statistically correlates with higher attendance for the ARNG of that state. The statistical relationship of smaller National Guard, as based on the assigned strength of the individual ARNG, with better attendance is also examined in this monograph. The effect of stronger state laws, as defined by a state having a civilian criminal punishment in addition to the states military statutes, that punish being Absent without Leave (AWOL) is examined to determine if strong laws lead to better attendance.

Limitations and Data Sources

This monograph uses unclassified data and sources. The data for the ARNG NOVALPAY encompass fiscal years 2001 through 2013. The NGB G1 Manpower analysis section provided the NOVALPAY data. This monograph focuses only on the fifty-four-state and territory ARNGs.¹³ ARNG Soldiers who are not required to drill monthly do not reflect in the

¹¹Myron Bishop, *20131003_NOVALPAYbymonth.xls* (Arlington, VA: Personnel Programs, Manpower, and Resources Division Army National Guard Readiness Center, 2013).

¹²Army National Guard, "Change to NOVALPAY Accounting Methodology," *Army National Guard G1 Personnel Gateway* (9 April 2012), <https://glarng.army.pentagon.mil/pages/DisplayAnnouncement.aspx?AnnouncementID=154> (accessed 22 March 2014).

¹³The Army National Guard of all fifty-four states' and is referred to as the state's Army National Guard for the remainder of this monograph.

data. In addition, Soldiers that drill for points are not included in the NOVALPAY report.¹⁴ The purpose is to determine the reasons that states have differential NOVALPAY rates despite all being under the same regulatory guidance from the NGB.

Overview of Monograph

Section two is a literature review of previous work related to attendance in the Reserve Component (RC). Section three explains the methodology used to determine the reasons some state ARNG are more successful at maintaining low NOVALPAY rates. Section four consists of the statistical and comparative analysis data, a summation and analysis of the interviews conducted with ARNG officers with a review of the effectiveness of the USAR's current program to reduce the number of unsatisfactory participants. Section five presents conclusions drawn from the monograph and recommendations to reduce Soldier non-participation across all of the Reserve Components (RCs).

Background Information on the Reserve Component

The historical lineage of the United States military begins with the first muster of militia in 1636.¹⁵ Due to the increasingly complex nature of warfare in the late 19th century, Congress recognized the need for a technically and tactically trained force and reformed the militia system with the Militia Act of 1903, known as the Dick Act.¹⁶ The Dick Act divided the militia into the organized militia, later renamed the Army National Guard, and the unorganized militia. The Dick

¹⁴Army National Guard, "Change to NOVALPAY Accounting Methodology."

¹⁵Department of the Army, *Reserve Components of the United States Military 2013* (Washington, DC: United States Army Force Management School, 2013), 4, <http://www.afms1.belvoir.army.mil/primers.php> (accessed 12 November 2013).

¹⁶Clarence Lee Walker, "U.S.N. 2010. Calling Forth the Militia," *The Officer* 86, no. 5: 54-57, <http://search.proquest.com/docview/884788243?accountid=28992> (accessed 12 November 2013).

Act also created a more prepared reserve force by providing federal funds and equipment to the states to increase readiness by mandating a minimum number of training days for the militia. This action allowed Regular Army officers to train the organized militia and mandated annual joint maneuvers for training.

On 23 April 1908, Congress authorized the Army “to secure a reserve corps of medical officers who could be ordered to active duty by the Secretary of War during time of emergency.”¹⁷ The creation of a third component of the Army provided a federal military reserve force not under control of the states like the NG.¹⁸ The USAR expanded in 1916 with the passage of the National Defense Act of 1916.¹⁹ The 1916 Act authorized an Officer Reserve Corps, an Enlisted Reserve Corps, and the Reserve Officer Training Corps.²⁰ The National Defense Act of 1916 also increased the number of drill periods a Reservist or National Guardsmen must perform and provided federal pay for state National Guard forces. It also officially changed the name of the land forces in the organized militia to the National Guard.²¹

RC mobilization in the United States during World War I provided the basic framework for future mobilizations.²² The Selective Service Act, submitted to Congress on 6 April 1917,

¹⁷Richard B. Curries, and James Crossland, *Twice the Citizen: a History of the United States Army Reserve* (Atlanta, GA: Office of the Army Reserve, 1984), 17.

¹⁸Richard W. Stewart, *American Military History*, CMH Publication, 2nd ed., (Washington, DC: Center of Military History, 2009-2010), 381.

¹⁹Bernard Rostker, *Assessing the Structure and Mix of Future Active and Reserve Forces* (Santa Monica, CA: Rand, 1992), 22.

²⁰*Ibid.* The initial Enlisted Reserve Corps consisted of Soldiers with specialized skills that required significantly longer training times compared to the combat arms branches.

²¹Bill Boehm, “Commentary: National Guard Milestone Law was signed June 3, 1916,” *Federal Information & News Dispatch*, 2013, <http://search.proquest.com/docview/1364540771?accountid=28992> (accessed on 13 November 2013).

²²Rostker, *Assessing the Structure*, 22.

called the entire National Guard to federal service for the duration of the emergency.²³ After the war, the Army organized the USAR into cadre divisions and ARNG into combat divisions. During the interwar period, the USAR expanded to over 100,000 officers, but the enlisted reserve remained practically non-existent due to a lack of a recruiting system for the enlisted reserve.²⁴ Starting in 1940 and continuing through World War II, the entire RC was mobilized for the duration of the conflict. Both World Wars demonstrated the use of the reserves as a strategic asset requiring significant training time after mobilization before the unit deployed. This paradigm continued during the cold war and military plans were for the Active Component (AC) to fight initially until the reserve component could be mobilized, trained, and deployed.²⁵

The paradigm of the strategic reserve role of the RC changed during the mid-1990s with the increased use of the RC for service in the Balkans.²⁶ The intellectual roots of the operational role of the Reserves and National Guard came from the Total Force doctrine of Secretary of Defense Melvin Laird in the early 1970s.²⁷ Laird implemented the transition of the United States military to an all-volunteer force during a period of significant reductions in the military budget and force structure. Laird directed that the services increase their reliance on the RC, primarily to offset the massive defense budget cuts of the immediate post-Vietnam War era and the end of the draft.²⁸ Full implementation of Laird's vision of an operational reserve was not achieved during the 1970s or 1980s. The role of the RCs increased and military planners included the rapid use of

²³Congress passed the Selective Service Act the same day as they passed the Declaration of War with Germany.

²⁴*Ibid.*, 23.

²⁵*Ibid.*

²⁶*Ibid.*, 6.

²⁷James J Carfano, "The Army Reserve and the Abrams Doctrine: Unfulfilled Promise, Uncertain Future" (Heritage Lecture 869, 18 April 2005), 2, <http://www.heritage.org/Research/NationalSecurity/hl869.cfm> (accessed 17 October 2013).

²⁸*Ibid.*, 4.

the reserves in planning for future conflicts including the assignment of a National Guard brigade, called a round-out brigade, into the structure of the Active Duty divisions based in the continental United States.²⁹

The transition of the reserves to a truly operational force occurred due to the need for repeated mobilizations of RC forces in response to the Global War on Terror.³⁰ In their operational roles, “RCs participate in a full range of missions according to their Services’ force generation plans. Units and individuals participate in missions in an established cyclic or periodic manner that provides predictability for the combatant commands, the Services, Service members, their families, and employers.”³¹ This predictable and planned use of the RC in operations is the difference between the use of the RC as a strategic or as an operational reserve. As of May 2013, 850,000 Reservists and National Guardsmen have been mobilized in support of the Global War on Terror with an average of 140,000 mobilized at any one time.³²

Structure of the Reserve Component

The United States Army currently consists of three components, the Regular Army, the United States Army Reserve, and the Army National Guard of the United States. The ARNG and

²⁹Ibid., 5.

³⁰Jonathan A Dahms, *An Operational Army Reserve: Implications For Organizational Health* (Carlisle, PA: U.S. Army War College, 2007), 11.

³¹Department of Defense Directive 1200.17, *Managing the Reserve Components as an Operational Force* (Washington, DC: Government Printing Office, 29 October 2008), 8.

³²Punaro, Arnold L., “Memorandum for the Secretary of Defense from the Reserve Forces Policy Board (RFPB) 6 May 2013,” http://ra.defense.gov/rfpb/_documents/RFPB_memo_SecDef_re_SCMR_and_QDR_FINAL.pdf (accessed 17 October 2013). This memo provided recommendations from the RFPB concerning the future of the Reserve Component. Key recommendations include the continued use of the reserve component in contingency operations as a cost-saving measure. Active Duty currently has 45 combat brigades.

the USAR make up the Reserve Component of the Army and most of the Soldiers are part-time.³³ The other services also have RC forces. The Air Force has the Air Force Reserve (AFRES) and the Air National Guard of the United States (ANG). The Navy and the Marine Corps have the Navy Reserve (NAVRES) and the Marine Reserve (MCR), respectively.³⁴ The Coast Guard including the Coast Guard Reserve falls under the jurisdiction of the Department of Homeland Security during peacetime, not the Department of Defense.

RC forces provide the nation a significant portion of the total force structure of the military. The ARNG includes twenty-eight Brigade Combat Teams (BCTs) while the Regular Army contains forty-four BCTs.³⁵³⁶ The USAR provides the majority of critical sustainment and enabling units including 94 percent of the Judge Advocate General units, 66 percent of the quartermaster units, 61 percent of the military intelligence and operations units, and 59 percent of the medical units of the entire Army.³⁷ The MCR provides 25 percent of the Marine Corps combat structure.³⁸ The ANG and the AFRES provide the Air Force with 58 percent of its

³³U.S. Congress, House, *National Defense Authorization Act for Fiscal Year 2014*, H.R. 3304, 113th Congress, 2013, <http://www.govtrack.us/congress/bills/113/hr3304> (accessed 25 March 2014). The Fiscal Year 2014 Defense Authorization Act authorized an Army National Guard end-strength of 354,200 Soldiers of which 32,060 are full-time Soldiers called Active Guard Reserve (AGR). The Act authorized a USAR end-strength of 205,000 of which 16,261 are AGR.

³⁴*Ibid.*, 1.

³⁵Army National Guard Organization, *Army National Guard* (Washington, DC: Army National Guard, 2009), <http://www.arng.army.mil/aboutus/Pages/Organization.aspx> (accessed 23 February 2014).

³⁶Raymond Odierno, "Chief of Staff of the Army Press Conference On Army Force Structure Reductions (As Prepared)," *Army.Mil*, 23 June 2013, <http://www.army.mil/article/106355/> (accessed 23 February 2014).

³⁷Army Reserve, "Army Reserve Posture Statement 2013," *Army Reserve* (9 June 2013), <http://www.usar.army.mil/arweb/mission/ARPS/Documents/ARPS.pdf> (accessed 26 January 2013).

³⁸Darrell Moore, "Statement of Major General Darrell L. Moore United States Marine Corps Before the Senate Appropriations Committee Subcommittee On Defense-Guard and Reserves" (Washington, DC, 11 May 2011).

strategic airlift capacity, 75 percent of its tactical airlift capacity, and 48 percent of its combat aircraft capability.³⁹

Each of the RCs consists of several sub-categories. The Selected Reserve (SELRES) contains manned units that are required to perform regularly scheduled duty. The Individual Ready Reserve (IRR), the Stand-by Reserve, and the Retired Reserve, collectively known as the inactive reserve, contain only Soldiers, not units or equipment. These Soldiers are not required to perform regular duty; however, during a war or national emergency, the Soldiers of the inactive reserve can be mobilized to provide additional manpower to either the AC or RC. The National Guard also has the Inactive National Guard (ING). Duty in the ING is unlike duty in the IRR, in that guardsmen assigned to the ING are assigned to a unit and perform duty once a year.

SELRES Reservists and National Guardsmen traditionally conduct military duty one weekend per month and complete a fourteen day annual training. The RCs perform weekend drill in an inactive-duty for training (IDT) pay status governed by Army Regulation.⁴⁰ Soldiers in the USAR are subject to Title 10 U.S.C. 802, “The Uniform Code of Military Justice” (UCMJ) while on duty, but members of the National Guard are only subject to UCMJ when on federal orders.⁴¹ While USAR Soldiers in an inactive-duty status are subject to UCMJ, they must be on an active-duty status to be penalized punitively.⁴² Each of the different services’ regulations prescribes the actions that can be initiated against a member of the RC for unsatisfactory participation.

³⁹U.S. Congress, House, *Department of Defense Appropriations Bill, 2013*, 112th, 2d sess., 2012, H. Rep. 112-493, 11.

⁴⁰Department of the Army, Army Regulation (AR) 135-178, *Enlisted Administrative Separations* (Washington, DC: Government Printing Office, 2014), 3-1.

⁴¹Uniform Code of Military Justice, Public Law 101-189, § 1701, *U.S. Statutes at Large* 127 (2013): 1, codified at *U.S. Code* 10 (2013), § 801.

⁴²*Ibid.*

President Richard Nixon commissioned a committee, chaired by former Secretary of Defense Thomas Gates, to prepare and deliver a detailed plan to end the draft. This report, completed in 1969, identified many potential issues with ending the draft including problems with RC recruiting and retention.⁴³ The Gates Commission found that seventy-five percent of the Soldiers in the RC were members to avoid the draft. The commission expected these Soldiers to leave the RC once the draft ended. The commission recommended a reduction in the strength of the RC by 113,000 paid drill positions to compensate for the expected exodus from the RC once the draft ended. The commission also predicted that draft era compensation would be insufficient to attract enough Soldiers to enlist. The commission predicted and later studies validated that the majority of the enlistees in an all-volunteer force would primarily enlist for the financial compensation. Enlistees used RC service as a part-time job in addition to their regular employment. For the RC to successfully recruit, pay would need to be raised above the draft era rates for both enlisted and officers. A Soldier made an average of \$20.40 for a weekend drill in 1969 when the commission published its recommendations.⁴⁴ This was less than what civilian part-time jobs paid at the time and the commission recommended that RC pay be comparable to minimum wage.

Another issue that the Gates commission identified was the need to increase reenlistment and accessions of enlisted Soldiers from active duty into the RC. During the Vietnam War, because most of the Soldiers enlisted in the RC to avoid the draft, first time reenlistment rates were very low.⁴⁵ During the Vietnam War, the RC average first time reenlistment rate was only

⁴³Bernard Rostker, *I Want You! the Evolution of the All-Volunteer Force* (Santa Monica, CA: Rand Corporation, 2006), 85.

⁴⁴Thomas S. Gates, Jr., *The Report of the President's Commission on the All-Volunteer Armed Force* (Washington, DC: Government Printing Office, February 1970).

⁴⁵*Ibid.*

7.2 percent vs. 8.6 percent in 1962-1965, before the Vietnam War. The commission felt that with proper compensation, the reenlistment rate could be even greater because 1962-1965 were low years for reenlistments due to the Berlin and Cuban Missile Crises. Reserve accession of prior service active duty Soldiers was also poor during the Vietnam War because most of the active duty Soldiers did not want to continue their military service after their mandated initial enlistment was complete.

LITERATURE REVIEW

Literature provides no studies of differential attendance rates between the various branches of the RC. No published articles or studies directly address differential attendance rates, but three studies researched the reasons soldiers fail to attend drills and become non-participants. This literature review will address the laws and regulations that govern drill attendance and the some of the possible punishment for failing to attend drill.

Regulations and Punishments for Reserve Component Soldiers Who Become Unsatisfactory

Participants (UNSAT)

Reserve Obligations

Soldiers performing weekend drill are on an inactive duty training (IDT) status and are not subject to the AWOL provisions of the UCMJ. Soldiers who fail to attend drill receive an unexcused absence (U). The definition of unsatisfactory participation in the RC is a Soldier accumulating nine unsatisfactory drill periods (Us) in a twelve-month period. Reservists complete two drill periods in an IDT status and are paid two days of active duty pay for each day of duty performed. This translates into four active duty days of pay for each normal two-day drill weekend. Hence a Soldier missing a two-day drill weekend would receive four “U”s. Soldiers may not receive more than four “U”s in a month, even if the drill is more than two days so that they miss more than four drill periods. Failure to be in the prescribed uniform or failure to

complete assigned tasks adequately can result in a Soldier receiving a “U” for the drill period. The Army regulation gives the unit commander wide latitude by stating, “Soldiers present at a scheduled inactive duty training (IDT) will not receive credit for attendance unless they are wearing the prescribed uniform. They must also present a neat and Soldierly appearance and perform assigned duties in a satisfactory manner as determined by the unit commander.”⁴⁶

Reserve Soldiers perform duty in multiple pay statuses. Pay statuses are classified as inactive-duty status or one of several active duty statuses. Active duty status requires military orders and during the period the Soldier is on active duty, the Soldier is subject to the Uniform Code of Military Justice (UCMJ). Active duty pay statuses include Active-Duty for Training (ADT), Active-Duty Special Work (ADSW), and Annual Training (AT).⁴⁷ Reserve Soldiers who fail to perform active-duty when ordered to do so are processed for AT AWOL and discharged relatively rapidly.⁴⁸ Discharge packets for AT AWOL only require that the Soldier has been notified of the annual training and has failed to report on the first day of the orders; involuntary discharges for unsatisfactory performance require the accumulation of nine “U”s in twelve months.⁴⁹ Notification documents to the Soldier are sent by registered mail. Upon enlistment

⁴⁶Department of the Army, Army Regulation (AR) 140-10, *Assignment, Attachments Details and Transfers* (Washington, DC: Government Printing Office, 15 August 2005), 28.

⁴⁷Office of the Assistant Secretary of Defense for Reserves, RC 101, *Reserve Component Categories* (Washington, DC: Government Printing of Office, 2005), 23-29, <http://ra.defense.gov/documents/publications/RC101%20Handbook-updated%2020%20Sep%2005.pdf> (accessed on 18 November 2014).

⁴⁸Army Reserve, Update 3 to USAR PAM 600-5, *Personnel Actions Guide for Army Reserve Units* (Washington, DC: Government Printing of Office, 2005), Figure B-55.

⁴⁹Department of the Army, AR 140-10, 28.

Soldiers sign a form acknowledging that they must attend all scheduled drills and that they are required to keep their unit commander informed of their current address.⁵⁰

Each of the Reserve services has a regulation governing the actions a commander may take against a Reservist that accumulates nine “U”s. While unused since the end of the draft, Title 10 of the US code allows the Secretary of Defense to place on active duty any reservist with less than twenty-four months of service who becomes an UNSAT; the reservist remains on active duty until he/she completes twenty-four months. This policy was extremely effective during the Vietnam era as the AC incorporated the Soldiers who became UNSATs in the reserves.

Federal Law prescribes that all members of the RC complete forty-eight days of IDT in a year as well as a minimum of 14 days of active duty annual training.⁵¹ The Department of Defense (DOD) Instruction Number 1215.13 dated 11 May 2009 directs the individual Service Secretaries to implement this law and establishes the consequences for unsatisfactory participation.⁵² DOD Instruction 1215.13 allowed for several different punishments for an UNSAT Soldier. Two authorized but not used punishments include transferring the Soldiers to active duty for reservists with less than 24 months of time in service or the services may order a reservist to perform 45 days of active duty in an ADT status. Commonly used punishments include the discharge of unsatisfactory participants who are deemed by their commander to have no further potential for military service or, for reservists with potential, transfer to the IRR. Each of the military branches, except the Navy, has a corresponding regulation that applies to both the

⁵⁰Department of the Army, DA Form 3540, *Certificate and Acknowledgement of U.S. Army Reserve Service Requirements and Methods of Fulfillment* (Washington, DC: Government Printing Office, September 2000).

⁵¹Section 10147, of Title 10, United States Code (U.S.C.)

⁵²Department of Defense (DOD) Instruction Number 1215.13, *Reserve Component (RC) Member Participation Policy* (Washington, DC: Government Printing Office, 11 May 2009).

Reserves and the National Guard of the branch and allows for all of the punishments prescribed in the DOD instruction as well as allows for the demotion of enlisted reservists.⁵³

Unsatisfactory participants suffer potential financial loss from the military and the United States Department of Veterans Affairs (VA). Potential military penalties include recoupment of incentive bonuses for enlistment and retention bonuses if the reservist becomes an UNSAT.⁵⁴

Both the Montgomery G.I Bill and the post 9/11 GI Bill educational programs contain a provision that revokes a Soldier's eligibility if the Soldier becomes an unsatisfactory participant.

Revocation is not reversible if a Soldier later performs satisfactorily. The loss of the 9/11 G.I Bill is especially painful as it pays for tuition, books, and a stipend with a total possible value over \$150,000 depending on the school the service member selects.

The USAR also may inflict financial hardships on a Soldier that becomes an unsatisfactory participant. UNSAT Soldiers lose access to tuition assistance funds. Soldiers that become unsatisfactory participants also must repay any enlistment or retention bonuses received.⁵⁵ These bonuses are paid in installments as part of an overall approach to encourage the Soldier to maintain satisfactory performance with the remaining bonus payments made only if the Soldier is satisfactorily participating.⁵⁶ These potential benefits for satisfactory performance,

⁵³The Corresponding Regulations, Department of the Army, Army Regulation (AR) 135–91, *Army National Guard and Army Reserve Service Obligations, Methods of Fulfillment, Participation Requirements, and Enforcement Procedures* (Washington, DC: Government Printing Office, 1 February 2005), 26; Department of the Navy, Navy Regulation (NR), *BUPERS Instruction 1001.39F* (Washington, DC: Government Office, 17 September 2007).

⁵⁴Department of the Army, Army Regulation (AR) 135-7, *Army National Guard and Army Reserve Incentive Programs* (Washington, DC: Government Printing Office, 1996).

⁵⁵Department of the Army, Army Form 3540 (DA Form 3540), *Certificate and Acknowledgement of U.S. Army Reserve Service Requirements and Methods of Fulfillment* (Washington, DC: Government Printing Office, 2000).

⁵⁶*Ibid.*

combined with the previously discussed penalties and financial loss are designed to maximize a Soldier's incentive to maintain satisfactory participation.

Kocher and Thomas studied the demographic trends of Soldiers who left the Army Reserve in 1995 and 1996.⁵⁷ The purpose of their study was to determine if predictive demographic trends exist for Soldiers more likely to leave the Army Reserve before their contracts expire. Commanders can use these data to efficiently conduct retention efforts.

Kocher and Thomas divided the total population of enlisted losses into three cohorts and conducted an analysis to determine if the different cohort non-participant Soldiers displayed different demographic trends. The first cohort was Soldiers in their first enlistment and no prior military service. The unsatisfactory participant Soldiers with no prior military service statistically tended to be young, single, below average Armed Forces Qualification Test (AFQT) scores, and were more likely to be members of an ethnic minority. The second cohort was Soldiers who came to the Army Reserve after serving on active duty. Soldiers who came to the Army Reserve from active duty tended to be married, less likely to have a high school diploma, more likely to be male, and tended to be assigned to a military occupational specialty (MOS) other than the MOS performed on active duty. Soldiers with prior service in the USAR (not on their first enlistment in the USAR) who became more likely to not have a high school diploma and to have low AFQT scores. This study did not attempt to identify motivations for leaving the reserves, just the demographic characteristics.

Bob Barrios-Choplin, Aimee Kominiak, and George W. Thomas attempted to identify the motivations of Soldiers who left the reserves in a companion study to Kocher and Thomas.⁵⁸ This

⁵⁷Kathryn M. Kocher, and George W. Thomas, "Profile of Unsatisfactory Participant Losses from the USAR" (Master's Thesis, Naval Postgraduate School, Monterey, CA, 1999), 1.

⁵⁸Bob Barrios-Choplin, Aimee Kominiak, and George W. Thomas, "Reasons for Unsatisfactory Participation in the Army Reserve" (Master's Thesis, Naval Postgraduate School, Monterey, CA, 1999).

study involved interviews with one hundred Soldiers that departed the USAR prior to the expiration of their contract. The authors identified eleven recurring issues that Soldiers identified as related to their decision to leave the Army Reserve. The issues are as follows:

1. The local recruiter was the reservist's primary source of information about the Reserve Program; however, one-third of the information reservists received from local recruiters was inaccurate.
2. One in three reservists received no prior information about their assigned unit.
3. A recruiter did not escort one in three reservists to his assigned unit.
4. Although required by the sponsorship program, approximately one in four reservists did not receive an orientation brief, did not meet with the commander, and were not assigned a sponsor.
5. Reservists generally noticed the people in the unit were friendlier than they expected, and the training and leadership were worse than they expected.
6. Poor training was the leading reason one in four reservists exited the unit.
7. The unit first sergeant is the primary member of the chain of command the reservist speaks to about his dissatisfaction before exiting the unit.
8. The chain of command failed to resolve problems for one in four reservists.
9. The chain of command personally contacted only half of the reservists who had exited the unit.
10. If offered various incentives, 82 percent of the unsatisfactory participants would rejoin the Army Reserve.
11. The leading recommendations non-participants have to increase participation in units are increasing the quality of training, leadership, and communications.

This study provided the recommendations to reduce Soldier losses that include recommendations to improve the accessions process by providing accurate information on reserve

service and escorting all Soldiers to the gaining unit. The authors also recommended that gaining units develop a well-planned and resourced system to integrate incoming Soldiers including an effective sponsorship program and a meeting with the unit leadership for every new Soldier. Another recommendation of the study was increased efforts by retention NCOs to communicate with Soldiers who have accrued unauthorized absences and to add to the duties of the first sergeant the strict oversight of the retention NCOs' efforts. The final recommendations of the study were to publicize and reward units with effective programs that reduce voluntary losses and to direct all of the RCs to share IRR Soldier data. Soldiers indicate they would rejoin the reserves if the issues that led them to leave were corrected.

Brian C. Davis, in his 2012 Army Command and General Staff College master's degree monograph "Analyzing Army Reserve Unsatisfactory Participants through Logistics Regression," attempted to identify demographic characteristics of non-participants using statistical analysis.⁵⁹ The purpose of this monograph was to provide commanders assistance in identifying Soldiers who are more at risk of becoming unsatisfactory participants. The identification of higher risk Soldiers allows the commander to focus resources on the Soldiers that are more likely to become non-participants. Davis conducted linear regression of various demographic characteristics of Soldiers in the Army Reserve to determine if there were a statistical correlation to some of the demographic characteristics and a Soldier's likelihood of becoming a non-participant. Davis analyzed the regression data to derive both further studies required and to develop recommendations to reduce the rate of non-participants based on the identified demographic trends.⁶⁰ Davis used a single month's data for the study and identifies this as a potential weakness

⁵⁹Analyzing Army Reserve Unsatisfactory Participation Thorough Logistic Regression, iv.

⁶⁰Ibid.

of this study.⁶¹ Data used for the logistical regression included gender, age, rank, Military Occupational Specialty (MOS), location (Unit Identification Code), and marital status.⁶² The United States Army Reserve Command provided Davis with data for every Soldier in the Army Reserve for the month of December 2011.⁶³ From this data, Davis found that that commissioned officers and warrant officers had very low rates of non-participation (0.6 percent and 1.7 percent, respectively) and enlisted Soldiers had a relatively high rate of non-participation at 7.2 percent.⁶⁴ His study further confirmed that non-participant demographics in December 2011 are similar to the results found in the Kocher and Thomas study with data from 1995 and 1996 in relation to rank and marital status.⁶⁵ Lower enlisted, unmarried Soldiers in both studies were more likely to become non-participants. As an aid to countering this process, Davis recommended the collection of additional data to increase the ability of the Army Reserve to understand why Soldiers become non-participants. Davis also recommended carefully tracking Soldiers once one drill is missed, not just when they become non-participants after accumulating nine “U”s. He felt this would assist the USAR with reducing NP rates by managing some of the reasons for non-attendance by Soldiers.⁶⁶ This recommendation is similar to the recommendations of Barrios-Choplin et al.⁶⁷

METHODOLOGY

This monograph identifies factors that contribute to the differential attendance rates between different state and territory Army National Guard as expressed by NOVALPAY statistics. This section begins with a discussion of the data and software used for statistical

⁶¹Ibid., 51.

⁶²Ibid., 22.

⁶³Ibid., 51.

⁶⁴Ibid., 50.

⁶⁵Kocher and Thomas, 58-59.

⁶⁶Ibid., 53.

⁶⁷Barrios-Choplin et al., 66-69.

analysis. The first sub-section is a discussion of the statistical analysis performed on each set of data to determine if different variables have relevance on NOPAYVAL statistics. The following sub-section discusses the methodology used to gather state National Guard policies and procedures as well as the procedure used to interview various RC members to identify best practices.

Initial analysis was conducted using Army National Guard No validated pay status (NOVALPAY) statistics for the period October 2001 to September 2013 from the National Guard Bureau (NGB) G1. This NOVALPAY data constituted the raw data for the statistical analysis to determine if per capita personnel income or the overall assigned strength of a National Guard has a statistically relevant effect on attendance rates. Soldiers in a NOVALPAY status have not received military pay in more than 90 days.⁶⁸ The statistics provided contained the following fields, as shown in Table 1.

Table 1. Sample NOVALPAY Table Provided by the National Guard Bureau (NGB)

Fiscal Year	Calendar	State	Assigned	NOVALPAY	NOVALPAY_
	Year Month				
2002	200110	AK	1734	104	6.00 percent
2002	200110	AL	13129	607	4.62 percent
2002	200110	AR	8487	450	5.30 percent
2002	200110	AZ	3909	266	6.80 percent
2002	200110	CA	16116	904	5.61 percent
2002	200110	CO	3159	226	7.15 percent

⁶⁸Army National Guard, “Change to NOVALPAY Accounting Methodology,” *Army National Guard G1 Personnel Gateway*, 9 April 2012, <https://g1arng.army.pentagon.mil/pages/DisplayAnnouncement.aspx?AnnouncementID=154> (accessed 22 March 2014); Cathy Harley, “Using Excel for Statistical Analysis,” *Investigative Reports and Essays—Tipsheets*, (22 March 2014), http://ire.org/media/uploads/car2013_tipsheets/excel_stats_nicar2013.pdf (accessed 22 March 2014); Chuck Holmes, “How to Manage the Noval, Non Val or Novalpay Report,” Part-time Commander, last modified 21 February 2014, <http://www.part-time-commander.com/how-to-manage-the-noval-non-val-or-no-validated-pay-report/> (accessed 22 March 2014).

Source: Created by author.

The mean value of NOVALPAY for each of the 144 months of data was calculated using the equation

$$\left(\sum_{1}^{54} \text{Individual State Deviations} \right) \div 54 = \mu \text{ (Mean Monthly Deviation)}$$

The difference between the mean value and the actual value was calculated for each state by subtracting the state's monthly value of NOVALPAY vs. Assigned from the mean value for the month with the equation

$$x - \mu = y$$

Positive values reflect months in which a state exceeds the average value of all of the states' NOVALPAY percentages. The rates were not compared against the combined Army National Guard rate as using this statistic would be overly influenced by the NOVALPAY rates of the largest state National Guard.

Total Variation from the Mean NOVALPAY Rate

The sum of all of the variation from the monthly mean for all available months and for the 3-year period October 2010 to September 2013 was calculated to determine a total variation.

This produced a positive number value for states that exceed the average NOVALPAY rate over the measured timeframe and a negative number for states that are below the average NOVALPAY rate.

Statistical Analysis

All calculations and statistical analysis for this monograph were performed using Microsoft Excel 2010.⁶⁹ Correlation and regression functions from the data analysis tool add-on were used for the statistical analysis of the data. The correlation function uses the following equation to determine the relationship between two variables.⁷⁰

$$\text{Correl}(X, Y) = \frac{\sum (x - \bar{x})(y - \bar{y})}{\sqrt{\sum (x - \bar{x})^2 \sum (y - \bar{y})^2}}$$

The correlation function returns data in the following format (Tables 2 and 3)

Table 2. Sample Correlation Function Output from Microsoft Excel

	Per Capita Income	3-Year Attendance Diff	Population
Per Capita Income	1		
3-Year Attendance Diff	0.10317779	1	

⁶⁹Microsoft Excel 2013 version 15.0.4551.1006.

⁷⁰Microsoft Corporation, "Correl," *Microsoft Office Online Help—Excel*, <http://office.microsoft.com/en-us/excel-help/correl-HP005209023.aspx> (accessed 22 March 2014).

Population	0.182072697	-0.067174988	1
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Source: Created by author.

Automated regression analysis provides both the analysis of variance (ANOVA) and p-value results.

Table 3. Sample Output from Microsoft Excel Automated Regression Analysis

SUMMARY OUTPUT							
<i>Regression Statistics</i>							
Multiple R	0.10317779						
R Square	0.010645656						
Adjusted R Square	-0.008380389						
Standard Error	10505.98093						
Observations	54						
ANOVA							
	<i>df</i>	<i>SS</i>	<i>MS</i>	<i>F</i>	<i>Significance F</i>		
Regression	1	61758556.99	61758556.99	0.559530704	0.457819152		
Residual	52	5739533039	110375635.4				
Total	53	5801291596					
	<i>Coefficients</i>	<i>Standard Error</i>	<i>t Stat</i>	<i>P-value</i>	<i>Lower 95%</i>	<i>Upper 95%</i>	<i>Upper 95.0%</i>
Intercept	42736.78462	1429.683576	29.89247785	2.00371E-34	39867.91464	45605.6546	45605.6546
X Variable 1	-70.9867278	94.89977783	-0.74801785	0.457819152	-261.4170638	119.4436082	119.4436082

Source: Created by author.

Twelve-year and three year total variation correlation and regression analysis was used to determine if the total assigned strength of each National Guard affects the NOVALPAY rate. Microsoft Excel automated regression analysis table for this regression will show an ANOVA F value below 0.05 if the assigned strength correlates to NOVALPAY rates.

The attendance data provided by the NGB included the assigned strength for each National Guard. Correlation coefficients and regression analysis was performed with the assigned

strength being the independent variable and the dependent variable was the total variation for the mean NOVALPAY rate. Similar regression methodology was used to determine if the mean Per Capita Personnel Income (PCPI) of a state or territory positively correlates to the attendance rate of the Army National Guard from that state.⁷¹

Individual Interviews

Interviews with RC officers to determine specific best practices were conducted with seventeen officers, mostly at Fort Leavenworth, between November 2013 and February 2014. The majority of these officers were students in the Command and General Staff School or the School of Advanced Military Studies. The interviews were not conducted to obtain data for statistical analysis, but were instead used to identify trends and best practices.

Interviews were conducted in person, via email, as well as telephonically. Interviewees were not asked identical questions. Questions were modified based on previous interviews and if the literature review or statistical analysis identified trends of interest in a specific state, specific question were asked. Several interviews produced answers that required further study; in those cases, the State Army National Guard headquarters were contacted and further interviews conducted.

This monograph determined the factors that affect reserve component participation rates. This work attempts to identify specific causes of increased or decreased long-term non-participation in the RC. The initial questions answered required only statistical analysis to determine if the mean per-capita income of a state or territory or the size of a state or territory

⁷¹Per Capita Personnel Income data for FY 2013 from the Bureau of Economic Analysis (BEA) was used for the states. BEA does not provide yearly data on the US territories. The World Bank publishes data for the territories but 2012 data is the most recent published World Bank data for the territories.

National Guard correlated positively or negatively with the attendance rate of the individual Army National Guard.

Army National Guard Size and Mean Per Capita Income

The NGB G1 (Manpower Analysis) provided raw attendance data.⁷² The sum of the monthly differences of the National Guard of each state from the monthly mean is shown for the period 2001 to 2013 in Table One and for the three-year period 2011 to 2013 in Table Two.

Negative numbers show lower (better) NOVALPAY performance.

⁷²NOVALPAY data provided by the National Guard Bureau for the Fiscal Years 2001-2013.

Table 4. Twelve-Year Sum of NOVALPAY Differences for Years 2001 to 2013
from the Monthly Mean

State	12-year Sum	State	12-Year Sum	State	12-Year Sum
CT	284.36	VA	29.92	DE	-57.93
AK	273.8	KS	28.18	WI	-60.33
NC	223.33	AL	23.82	NH	-61.11
TX	188.89	PA	20.13	LA	-62.89
DC	120.38	GA	9.72	KY	-65.56
IL	118.15	MO	0.21	OR	-66.99
PR	91.98	AR	-4.4	GU	-68.57
NM	88.87	NY	-13.24	SC	-74.35
CO	79.56	MN	-16.56	UT	-76.49
MD	78.99	RI	-34.41	VI	-76.78
OK	69.17	MA	-36.12	TN	-82.23
NJ	61.25	MT	-37.92	MS	-84.89
IA	57.1	AZ	-42.91	NV	-102.47
VT	50.05	IN	-47.37	ID	-105.82
CA	42.53	ME	-49.99	OH	-107.87
MI	42.21	WY	-50.19	NE	-119.13
WA	39.06	HI	-52.1	ND	-148.52
FL	33.52	WV	-55.37	SD	-192.67

Source: Created by author.

Table 5. 3-Year Sum of NOVALPAY Differences for Years 2011-2013 from Monthly Mean

State	3-Year	State	3-Year Sum	State	3-Year Sum
AK	49.33	MN	2.85	MT	-7.12
CA	35.26	ME	2.8	WY	-8.86
TX	30.17	NJ	1.99	UT	-9.48
CO	25.72	OK	1.59	NE	-11.98
NC	23.7	VI	1.1	DE	-13.1
AZ	19.45	NY	0.76	DC	-13.12
WA	18.33	OR	0.05	VA	-13.42
MI	13.29	FL	-0.01	IL	-13.63
NM	13.28	MA	-1.01	HI	-14.17
LA	11.53	AR	-1.47	ND	-14.2
WV	11.13	MD	-2.66	TN	-15.44
PR	0.78	IN	-2.93	OH	-15.51
PA	7.76	WI	-3.31	KY	-15.92
MO	7.66	GU	-4.1	SC	-16.06
MS	6.42	GA	-4.54	IA	-17.87
VT	5.76	CT	-4.68	SD	-19.21
AL	5.71	NH	-5.58	ID	-22.35
RI	2.91	KS	-6.3	NV	-30.56

Source: Created by author.

Comparison of the 3-year and 12-year NOVALPAY sum data is most valuable for the National Guards that are at either end of the NOVALPAY data. The five states possessing the highest sums regularly have a NOVALPAY percentage greater than the two percent; two percent or less is the National Guard Bureau standard. The state Army National Guards that have the lowest sum (best NOVALPAY rates) rarely exceeded one-percent and never exceeded two-percent during fiscal years 2011 to 2013. This data suggests that there is a measurable difference in the long-term trends for NOVALPAY performance and the remainder of this section attempts to identify some of the causes of this differential state performance.

Statistical Analysis of NOVALPAY and Average per Capita Income

The Gates Commission recognized the potential importance of financial compensation to RC participation in 1969.⁷³ The commission determined that many Soldiers of the all-volunteer RC would use their service principally as a source of additional income.⁷⁴ The commission predicted that the effective hourly wage of an RC Soldier must be at or above the federal minimum wage for entry-level RC members.⁷⁵ The current pay (FY 2014) of the lowest paid military member, an E-1 with less than 4 months' time in service, is \$46.74 for a 4-hour drill period or \$11.68 per hour.⁷⁶ This is substantially higher than the current federal minimum wage of \$7.25 per hour. While pay is substantially higher than the federal minimum wage, the overall relative buying power of military wages varies greatly based on the locality in which the Soldier

⁷³Thomas S. Gates, Jr., *The Report of the President's Commission on the All-Volunteer Armed Force* (Washington, DC: Government Printing Office, February 1970).

⁷⁴*Ibid.*, 103.

⁷⁵*Ibid.*

⁷⁶Department of Defense, *Military Pay Tables—1949 to 2013* (Washington, DC: Defense Finance and Accounting Service, 2012), <http://www.dfas.mil/militarymembers/payentitlements/militarypaytables.html> (accessed 10 December 2013).

lives. Since buying power is based most closely on per capita income, this monograph used per capita income as a measure of relative buying power.⁷⁷

The first hypothesis of this monograph is that states with lower per capita income would have better attendance. This was predicted on the belief that since RC pay is not adjusted regionally, the relative value of RC pay would be higher in areas that had lower per capita income, thus providing increased incentives for attendance.

Statistically relevant correlation was not found to exist between average state per capita incomes and NOVALPAY rates, inferring that this hypothesis is not correct. The range of per capita personnel income is from \$14,500 for the U.S. Virgin Islands to \$74,773 for the District of Columbia. Areas with higher buying power, as reflected by lower per capita income, do not have higher attendance rates. The Significance F value for the regression of average state per capita incomes and NOVALPAY rates is 0.46. Any value above 0.05 is considered statistically insignificant and the hypothesis is rejected. This means that no relationship exists between average state per capita incomes and NOVALPAY rates.⁷⁸ The output is in Table 6.

⁷⁷R. Bettina, H. Aten, Eric B. Figueroa, and Troy M. Martin, “Real Personal Income and Regional Price Parities for States and Metropolitan Areas, 2007–2011,” http://www.bea.gov/scb/pdf/2013/08_percent20August/0813_regional_price_parities.pdf. (accessed 6 March 2014).

⁷⁸Pamela Peterson-Drake, “Regression Step-by-Step Using Microsoft Excel,” *Fin 360—Readings* (6 March 2014), http://educ.jmu.edu/~drakepp/FIN360/readings/regression_excel.pdf. (accessed 6 March 2014).

Table 6. Summary Output of Per Capita Income and 3-Year NOVALPAY Rate Regression

SUMMARY OUTPUT						
<i>Regression Statistics</i>						
Multiple R	0.103178					
R Square	0.010646					
Adjusted R Square	-0.00838					
Standard Error	10505.98					
Observations	54					
ANOVA						
	<i>df</i>	<i>SS</i>	<i>MS</i>	<i>F</i>	<i>Significance F</i>	
Regression	1	61758556.99	61758556.99	0.559530704	0.457819152	
Residual	52	5739533039	110375635.4			
Total	53	5801291596				
	<i>Coefficients</i>	<i>Standard Error</i>	<i>t Stat</i>	<i>P-value</i>	<i>Lower 95 percent</i>	<i>Upper 95 percent</i>
Intercept	42736.78	1429.683576	29.89247785	2.00E-34	39867.91464	45605.6546
X Variable 1	-70.9867	94.89977783	-0.74801785	0.457819152	-261.4170638	119.4436082

Source: Created by author.

The second hypothesis of this monograph is that smaller Army National Guards, measured by the total number of assigned personnel, have lower NOVALPAY rates. The basis for this hypothesis is research that shows that individual performance tends to be higher in smaller organizations.⁷⁹ The 3-year NOVALPAY differential sum and the assigned strength for each Army National Guard on the September 2013 NOVALPAY were analyzed.

Statistical analysis of NOVALPAY data and the size of each National Guard showed no statistical correlation between the assigned strength of an Army National Guard and NOVALPAY rates. The Significance F is 0.62; thus the hypothesis that the smaller National Guards have better NOVALPAY rates is invalid (See Table 7).

⁷⁹Jennifer Mueller, "Why Individuals in Large Groups Perform Worse," *Organizational Behavior and Human Decision Processes* 117 (January 2012): 111-24; Sergio Talacchi, "Organization Size, Individual Attitudes and Behavior: An Empirical Study," *Administrative Science Quarterly* 5, no. 3 (December 1960): 398-420.

Table 7. Summary Output of National Guard Assigned Strength and 3-Year NOALPAY Rate Regression

SUMMARY OUTPUT									
Regression Statistics									
Multiple R	0.067174988								
R Square	0.004512479								
Adjusted R Square	-0.014631512								
Standard Error	4238.253498								
Observations	54								
ANOVA									
	<i>df</i>	<i>SS</i>	<i>MS</i>	<i>F</i>	<i>Significance F</i>				
Regression	1	4234055.844	4234056	0.235712559	0.629359432				
Residual	52	934065221	17962793						
Total	53	938299276.8							
	<i>Coefficients</i>	<i>Standard Error</i>	<i>t Stat</i>	<i>P-value</i>	<i>Lower 95%</i>	<i>Upper 95%</i>	<i>Lower 95.0%</i>	<i>Upper 95.0%</i>	
Intercept	6624.9907	576.7535134	11.48669	7.00061E-16	5467.650105	7782.331	5467.65	7782.331	
X Variable 1	-18.5868964	38.28384212	-0.4855	0.629359432	-95.40904588	58.23525	-95.409	58.23525	

Source: Created by author.

The Effect of State Laws

Individual state laws and procedures governing AWOL vary greatly. All states and territories with a National Guard, except Guam, have statutes that govern military justice; all of those statutes make the crime of being AWOL a military offense, punishable by state court martial. In addition to the military crime of AWOL, Pennsylvania, Tennessee, and Virginia have made being AWOL from National Guard duty a state civilian criminal offense.⁸⁰

⁸⁰Department of the Army, Army Pamphlet 27-50-415, “Military Justice in the National Guard: A Survey of the Laws and Procedures of the States, Territories by Robert Martin,” *The Army Lawyer* (Washington, DC: Government Printing Office, December 2007). Tennessee does not have a code of military justice, but does have criminal laws that are applicable to the members of the National Guard. Guam has no laws that reference the National Guard.

Tennessee

Tennessee legislated in 1970, during the Vietnam War, that being absent without leave from state military duty is a Class C Misdemeanor.⁸¹ The Tennessee AWOL law, as amended in 2010, increased the severity of being AWOL in Tennessee to a Class B Misdemeanor.⁸² This raised the possible punishment from a maximum of 30 days in jail and a \$50 fine to a maximum of 6 months in jail and a \$500 fine.⁸³ This change was deemed to have no potential state budget impacts to the state because of the infrequent prosecutions under this law.⁸⁴ Prosecution under the Tennessee statute is handled at the municipal level versus the state level.

Prosecutions under the state level are not uniform throughout the state.⁸⁵ The state Joint Force Headquarters has no role in the prosecution of AWOL National Guard Soldiers in Tennessee. Rural suburban areas use prosecution more often than urban areas due to the workload of judges and prosecutors in the urban areas.⁸⁶ Commanders are encouraged at Tennessee State Pre-command course during the legal brief to meet with local judges and law enforcement upon

⁸¹Armed Forces Penal Provisions, *Absence without Leave*, 2010 Tennessee Code Title 58—Military Affairs, Emergencies and Civil Defense, Chapter 1—Military Forces, Part 6 (2010).

⁸²Andy Sher, “Guard AWOL Bill Sent to Governor,” *Times Free Press*, 1 April 2008, <http://www.timesfreepress.com/news/2008/apr/01/guard-awol-bill-sent-governor/> (accessed 22 March 2014).

⁸³Tennessee Code “Title 40—Criminal Procedure Chapter 35—Criminal Sentencing Reform Act of 1989 Part 1—General Provisions 40-35-111—Authorized terms of imprisonment and fines for felonies and misdemeanors,” 2010, <http://law.justia.com/codes/tennessee/2010/title-40/chapter-35/part-1/40-35-111> (accessed 22 March 2014).

⁸⁴“HB2861—Tennessee,” State Surge, 11 October 2009, <http://www.statesurge.com/bills/hb2861-tennessee-29856/description> (accessed 22 March 2014).

⁸⁵Judge Advocate General for the Inspector General of Joint Headquarters of the TN ARNG telephonic interview by author, Fort Leavenworth, Kansas, 11 February 2014.

⁸⁶*Ibid.* Tennessee National Guard former battery commander interviewed by author, Fort Leavenworth, Kansas, 11 February 2014.

taking command.⁸⁷ One of the benefits of a good relationship between the local commanders and local judges is that prosecution and punishment can be shaped to fit the needs of the commander. Judges, within their power, order AWOL Soldiers to complete community service as punishment for being AWOL and require the service to be performed at the National Guard armory.⁸⁸ Convicted Soldiers are required to work without pay and upon failure in performance of their community service, they are arrested. Unique to Tennessee, Soldiers being discharged for unsatisfactory participation are frequently prosecuted in addition to being discharged. This level of cooperation between the court system and the National Guard is unique to Tennessee and provides great benefits to the National Guard.

Virginia

Virginia's statute holds that failing to report (FTR) is a class four misdemeanor punishable by a \$250 fine.⁸⁹ Virginia changed FTR to a misdemeanor in 2011.⁹⁰ Prior to 2011, Soldiers and airmen absent without permission were arrested and delivered to the state military forces and punished by court martial as mandated by the military laws of Virginia. The prior law mandated that Soldiers and airmen be held for no more than twenty-four hours and that they post bail once in the custody of the state military forces. The revised law does not specify a maximum time the National Guardsmen can be held and does not require the offender to be delivered to the state military forces. The amended statute allows any officer in the National Guard to swear out the warrant and mandates that the charges be dropped if the officer who swore out the warrant requests that they be dropped.

⁸⁷Judge Advocate General for the Inspector General of Joint Headquarters of the TN ARNG telephonic interviewed by author, Fort Leavenworth, Kansas, 11 February 2014.

⁸⁸Former Battery Commander of the TN ARNG interviewed by author, Fort Leavenworth, Kansas, 28 February 2014.

⁸⁹Virginia State Statutes—Chapter 104—44-41.1—Failure to Report.

⁹⁰Ibid.

Pennsylvania

Pennsylvania law is even more stringent than that of Tennessee or Virginia, but prosecutions are rare.⁹¹ Pennsylvania statutes contain a provision closely mirroring most of the other states by making being AWOL punishable by court martial, but Pennsylvania also added a summary offense to the military code that makes it a state crime to be AWOL.⁹² The civilian summary offense imposes a \$100-\$300 fine for the first offense and \$300-\$1000 fine for each subsequent offense.⁹³ The Pennsylvania Adjutant General or his designee has the authority to refer charges to the district magistrate in the county where the offense occurred.⁹⁴ The attendance record showing a Soldier absent is designated, Prima Fascia, evidence of guilt. In addition, once the charges are referred to the magistrate, the military does not have to provide representation to the Commonwealth or the accused, only the attendance record showing that the accused was absent. Pennsylvania statutes also grant arrest authority to unit commanders or their designated representatives and to every civilian law enforcement official with arrest powers in the Commonwealth with the stipulation that Soldiers detained for AWOL be delivered to the State Military Forces.⁹⁵

Pennsylvania does not yet use this law effectively. The mechanism for prosecution does not exist. The leadership of the Pennsylvania Army National Guard recognizes the need for

⁹¹Pennsylvania Joint Headquarters full-time legal support officer telephonic interview by author, Fort Leavenworth, Kansas, 11 February 2014.

⁹²Pennsylvania Consolidated Statute, Title 51, Section 6010, Armed Forces Penal Provisions.

⁹³Ibid., Sec 6010 (d).

⁹⁴Ibid., Sec 6010 (f).

⁹⁵Ibid., Sec 5202.

effective enforcement and is actively pursuing a joint force headquarters controlled system of non-judicial punishment for AWOL Soldiers.⁹⁶

Strong statutes did not result in uniformly lower NOVALPAY rates. Pennsylvania, with the strongest state statutes, was 22nd of 54 state Army National Guard for the 12-year NOVALPAY rates and 42nd for the 3-year rates. Virginia's three-year NOVALPAY rate was 13th of 54. Tennessee possessed much lower rates of NOVALPAY and had the ninth lowest three-year NOVALPAY rates. The eight states with the lowest three-year NOVALPAY rates (see Table 5) do not have civil laws and rely only on state military codes to punish AWOL. Hence it appears that strong laws do not conclusively translate into lower NOVALPAY directly.

Limitations of Using NOVALPAY as a Performance Metric

The Alaska Army National Guard had the second highest NOVALPAY rate over the 12-year period and the worst NOVALPAY rate over the last three years. Although Alaska exceeds the NGB goal of a NOVALPAY rate less than 2 percent for almost every month, it can be inferred that the unique climatology, cultural makeup, and geography of Alaska contributes to a higher NOVALPAY rate. Native Americans make up 17 percent of the Alaska National Guard but only comprise 0.76 percent of the National Guard as a whole.⁹⁷ Many of the Native Alaskans

⁹⁶PA state joint force headquarters legal support officer, telephonic interview by author, Fort Leavenworth, Kansas, 11 February 2014.

⁹⁷Lt Col Shirley Raguindin, Director, ANG Diversity Operations, *ANG Diversity Demographics Snapshot Grade Trends by Race and Ethnicity*, <http://www.nationalguard.mil/jointstaff/zc/joint/docs/ANG%20Trends%20-%20Grade%20by%20Race%20and%20Ethnicity.pdf> (accessed on 31 January 2013); United States Congress, Senate, Brigadier General Thomas Katkus, Commander, Alaska Army National Guard S, HRG. 110–278, *Health Care for Alaska Native Veterans Returning from Kuwait and Iraq and Other Veterans Living in Alaska Native Villages Field Hearing Before the Committee on Indian Affairs*, 110th Congress, 1st Sess., 30 November 2007. Printed for the use of the Committee on Indian Affairs.

still live in small, remote communities and must travel a significant distance to weekend drill, utilizing snow machines, boats, or air travel.⁹⁸

In a discussion of the continued need for hunting and fishing in the Alaskan Native communities, the Alaska Federation of Natives stated: “The entire structure of Native cultures, social organization, and family cohesion rests on subsistence. It is the only economy by which such people can feed themselves and their families by their own productive labor. Most villages have no other protein base.”⁹⁹ Twenty-one percent of all Alaskan’s and forty-eight percent of Native Alaskans live in rural areas.¹⁰⁰ Hunting and fishing provide an average of 316 pounds of meat per person for rural Alaskans.¹⁰¹ This translates to 105 percent of protein needs and thirty-one percent of total caloric requirements for the rural population.¹⁰² Hunting and fishing seasons in Alaska are primarily in the summer months; therefore some units do not schedule drills for that period.¹⁰³ Winter months also present a unique challenge, as many parts of Alaskan are not reachable due to the weather. The Alaska National Guard compensates for the months without drill by conducting multiple drills consecutively in a single month.¹⁰⁴

⁹⁸United States Congress, Senate, Katkus, 18.

⁹⁹Victor Fischer and Pete Spivey, “Alaska Federation of Natives Implementation Study,” proposal to the United States Congress to implement the recommendations of the Alaska Natives Commission (Washington, DC: Government Printing Office, December 1999), 19-20.

¹⁰⁰Thomas Thornton, “Alaska Native Subsistence: A Matter of Cultural Survival,” *Cultural Survival* 22, no. 3 (Fall 1998): 1, <http://www.culturalsurvival.org/ourpublications/csq/article/alaska-native-subsistence-a-matter-cultural-survival> (accessed 25 March 2014).

¹⁰¹Alaska Department of Fish and Game, 2010, Subsistence in Alaska—A Year 2010 Update: Alaska Department of Fish and Game, Division of Subsistence, http://www.adfg.alaska.gov/static/home/library/pdfs/subsistence/subsistence_overview2010.pdf. (accessed 21 October 2013).

¹⁰²*Ibid.*

¹⁰³Alaska Department of Fish and Game, *2013-2014 Hunting Regulations*, 54th ed. (Anchorage, AK: Anchorage Printing, 2013).

¹⁰⁴Alaska National Guard Major, interviewed by author, Fort Leavenworth, Kansas, 5 December 2013.

Individual Unit Retention Methods–Insight from interviews conducted with former ARNG

Company Commanders

Surveys reported many individual unit methods for retaining Soldiers. Interviews revealed several trends that further demonstrate that local commanders can increase attendance and reduce losses due to non-participation. Anonymous surveys of Army National Guard majors identified several trends in the methods used to increase Soldier attendance at monthly drills.¹⁰⁵ National Guard company commanders have wide latitude in the methods employed to increase drill attendance.

National Guard units use law enforcement personnel in both established procedural means regulated by the National Guard command structures and unofficial, locally managed systems. The official systems involve using the legal authority written in state statutes to swear out a warrant for a Soldier to be arrested.¹⁰⁶ As an example, the state of Texas does not have a law making AWOL a civil crime, but the state has established procedures to arrest Soldiers who are determined to be AWOL. Company commanders must submit the request for a warrant up through their chain of command to obtain a sworn warrant. The local law enforcement receives the warrant, but if the company commander wants to detain the Soldier quickly, the commander must send a unit member to locate the Soldier. Once the military locates the Soldier, the local law enforcement is summoned and the Soldier is arrested, processed, and remains jail until bond is posted. Once the Soldier posts bond, the Soldier, and the bond money are turned over to the

¹⁰⁵Interviews and written surveys conducted by the author of National Guard Majors occurred between 15 November 2013 and 1 February 2014. All of the respondents indicated they had been company commanders.

¹⁰⁶Officers from the Georgia, Tennessee, Pennsylvania, and Texas National Guards indicated that they had sworn out a warrant against a Soldier who missed drill. An officer from Virginia stated he had seen it done but he had not done it.

National Guard. The state civilian system does not prosecute the Soldier; the prosecution is by court martial or Article 15, making the use of this procedure is infrequent.

From the surveys, four officers from different states reported differential use of official law enforcement to arrest Soldiers based on the location of the Soldiers' assigned unit. These officers reported that units in rural areas were more likely to use the process of having a Soldier arrest a Soldier. This is mainly due to the perception by the officers that the sheriff's departments in the rural areas do not have the resources to locate, arrest, and then process the absent Soldier. The officers also stated that the urban police departments were-over stretched and they lacked the resources to arrest AWOLs.

The unofficial use of law enforcement in ARNG units is far more common than the official use. ARNG units form teams to locate and counsel AWOL Soldiers. State NG policy does not mandate these teams but they are the result of the initiative of individual units. Several of the ARNG officers reported that when Soldiers failed to attend, Soldiers who are law enforcement personnel perform the duty. The police officer uses law enforcement resources (driver's license system and automated court records) to locate the Soldier.¹⁰⁷ The assigned Soldier, usually accompanied by a junior officer, attempts to locate the AWOL Soldier and return him/her to the unit. While no warrants or other official means are used to force the AWOL Soldier to accompany the locator party, the intimidation factor of the law enforcement and an officer requiring attendance usually convince the Soldier back to drill. The embarrassment of having a police officer come and get the Soldier from his/her house, normally in front of family or co-workers, provides extra motivation for the Soldier to continue to come in the future.

Both official and unofficial methods of increasing drill attendance were not universally applied to all Soldiers. Commanders do not consider some Soldiers to be worth the effort to

¹⁰⁷Soldiers are required to inform the military when their address changes but many do not.

recover. Commanders choose to separate these Soldiers for unsatisfactory participation in accordance with Army Regulations.¹⁰⁸

Army Reserve Efforts to Reduce Non-Participants

Three reviews of USAR policies and procedures for the prevention and management of on-participants have been conducted by the United States Army Audit Agency (AAA), with the most recent review conducted in 2011.¹⁰⁹ This audit determined that the USAR wastes as much as \$150.4 million per year on non-participants.¹¹⁰ The report identified the long process for discharging a Soldier for unsatisfactory performance as a major contributing factor of the USAR's high non-participant rate. Another recommendation of the report was that the USAR establish goals for the non-participant rate for the USAR and use this standard as a way to measure the performance of individual units in their efforts reduce NPs. USAR set 5 percent as the goal for NPs, as well as reporting procedures for long-term NPs. In an effort to decrease the time the discharge process takes, the Commander of the Army Reserve (CAR) requested exceptions to regulatory guidance from the Secretary of the Army (SA) on 3 August 2009, resulting in four exemptions to Army policy for the removal of UNSATs¹¹¹ The first approved exception is authority for Area Commanders to be the approval authority for officer separation boards and resignations in which the officer recommends for an honorable discharge or a general under honorable conditions discharge.¹¹² The second approved recommendation was that Soldiers

¹⁰⁸Department of the Army, Army Regulation (AR) 135-178, *Enlisted Administrative Separations* (Washington, DC: Government Printing Office, 2012).

¹⁰⁹Army Reserve, Operations Order 12-128, *Management of Non-Participants* (Fort Bragg, NC: U.S. Army Reserve Command, 18 September 2010), 12.

¹¹⁰*Ibid.*, 1.

¹¹¹Laura L. Hoffman, "Nonparticipants (NPS) and Unsatisfactory Participants (UNSATs)," Information Paper (Fort Bragg, NC: U.S. Army Reserve Command, 2 August 12).

¹¹²*Ibid.* Previously the approval authority was the Commander of the Army Reserve.

with twenty qualifying years of service could voluntarily transfer to the Retired Reserve in lieu of involuntary separation. The SA also granted the CAR the authority to involuntarily transfer Soldiers with twenty years of service to the IRR.¹¹³ The final approved exception was that Area Commanders with a full-time legal support section be delegated enlisted separation authority.

The Deputy Commanding General (Operations) of the Army Reserve directed the Army Reserve Continuous Process Improvement Office to conduct a Lean Six Sigma study to identify policies that could result in a lowering of the number of NPs.¹¹⁴ Because of the study, the Army Reserve implemented the use of the Military Justice On-line, Reserve Component (MJO-RC) system for processing NP discharge packets.¹¹⁵ Previously, unsatisfactory participation letters were mailed to the Soldiers and accompanied a paper packet through the chain of command, from the company level to the discharge authority, by mail or hand carrying the packet from one-level of command to the next. Using MJO-RC allows the creation of a virtual packet in which documents are stored digitally once the return-receipt for the notifications is scanned into the system by the company level unit of the Soldier. This streamlines the process and by eliminating large paper packets, prevents the loss of packets or the sitting of packets at an intermediate level.¹¹⁶ The Lean Six Sigma study also generated the recommendation that the utilization of email notification of unexcused absences and notification of separation be used instead of first-class return receipt mail. The Army G1 rejected this request for an exception to policy by the USAR and registered mail is still used.

¹¹³Ibid. The CAR requested authority to transfer these Soldiers to the Retired Reserve, in effect forcing them into retirement but this was not approved by the Secretary of the Army.

¹¹⁴Hoffman.

¹¹⁵Ibid., 2.

¹¹⁶Ibid.

Army Regulation allows for the involuntary transfer of Soldiers to the IRR. In 2005, the CAR directed that Soldiers identified as unsatisfactory participants be chaptered out of the Army in accordance with established Army regulations.¹¹⁷ This policy changed on 17 January 2012 due to the recommendations originating from the third AAA report. The revised USARC policy directed that commanders carefully examine the future mobilization potential of all unsatisfactory Soldiers and if they have future mobilization potential, and have not been in the IRR previously for unsatisfactory participation, they can be transferred from the SELRES to the IRR involuntarily.¹¹⁸ Soldiers in a non-deployable status due to legal or medical issues are not eligible for involuntary transfer to the IRR. Commanders are cautioned in the memorandum that Soldiers transferred to the IRR may be affiliated with a unit. The benefit of this process, as opposed to the involuntary separation process, is that the Soldier will be discharged faster and with less administrative burden.

The Army Reserve reduced its Unsatisfactory Participation rates due to the policy changes enacted because of the Lean Six Sigma study and the AAA report. The Army Reserve had 11,689 (6.3 percent) Soldiers in a non-participant status in October 2011. The number of non-participants decreased to 9,395 or 5.3 percent in October 2013.¹¹⁹ The UNSAT rate for the entire USARC has decreased significantly; the decrease in rates was uneven across the USARC. The five commands with the worst UNSAT rates have rates that range from 6.72 percent to 9.22 percent while the five commands with the lowest rates range between 1.24 percent and 2.00

¹¹⁷Jack Stultz, Memorandum Dated 17 January 2012, Subject: Reassignment of Unsatisfactory Participants (UNSATs) to the Individual Ready Reserve (IRR) (Fort Bragg, NC: Unites States Army Reserve Command, 2012).

¹¹⁸Ibid., 3. Soldiers that have been assigned to the Individual Ready Reserve may not be re-affiliated with a unit unless the Army Reserve Careers Division obtains the approval of the gaining unit commander.

¹¹⁹COL Lynne Owens, "Army Reserve G-1 Information Brief," PowerPoint presentation, to the Battalion Brigade Pre-Command course in November 2013, 18.

percent. The differential effectiveness among MSCs reaffirms the idea that beneficial regulatory and statutory changes provide tools for units' management of participation, but the individual unit's effectiveness is based on local factors. While the 5.3 percent rate still exceeds the USARC goal of 5.0 percent, the decrease of 2,294 NP Soldiers represents a significant increase in the number of Soldiers available to accomplish the USAR mission.

CONCLUSIONS

The purpose of this paper is to identify factors that have a causal correlation to the varying rates of satisfactory participation in the RC. It has been shown that no statistical correlations to the size or per capita income of a state or territory and NOVALPAY exist. Additionally, strong state laws do not necessarily lead to higher participation rates. Almost every state has a state code of military justice or a state court martial statute that allows for prosecution for being AWOL, but these laws are often not used. Far more often, individual commanders make a decision as to the relative value of the Soldier and if the Soldier is deemed to not be of value to the military, the Soldier is chaptered out of the Army and discharged.

Successful efforts to reduce the number of NP/NOVALPAY Soldiers in the RC fall into two different categories: efforts to recover Soldiers or efforts to remove the Soldier from the SELRES as rapidly as possible. Both approaches effectively reduce the rate of NP/NOVALPAY; the return of Soldiers to good standing provides the units personnel immediately, saving the military the cost of training a new Soldier. The removal of Soldiers who do not perform satisfactorily does benefit the RC by removing the poorly performing Soldiers from the units, freeing up a slot for a quality Soldier. The benefits of a new Soldier is not immediate and the USAR does incur financial loss to pay for the recruiting and training of the new Soldier.

Both Army Reserves and Army National Guard commanders place emphasis on Soldier attendance. This work found that ARNG systems, both official and unofficial, aid in the recovery of poorly performing Soldiers and that these systems are more effective than the systems of the

USAR. The ARNG efforts include: reports and briefing on efforts to discharge or recover Soldiers identified as NP or UNSAT and diligent management of the chaptering process to ensure Soldiers that cannot be recovered to a status in good standing. While criminal statutes and state UCMJ are seldom used, multiple former commanders used the existence of punitive laws as leverage to encourage Soldiers to complete military duty. Local commanders, exercising initiative, used law enforcement officials in the unit to locate the missing Soldiers and bring them to drill. This option is not open to USAR commanders as there is not a punitive federal civilian law requiring Soldiers to maintain good standing in the Army Reserve.

RECOMMENDATIONS FOR FURTHER RESEARCH

1. Further research is needed to determine the effectiveness of reserve component Soldier recovery programs. Research to determine the effectiveness recovery programs across the RC has never been undertaken. Any study should also determine the long-term benefits and costs of recovering a NP/UNSAT soldiers.

2. Further research should be conducted on the systems and processes used to integrate newly recruited service members into a unit. Many of the Soldiers that fail to complete entry-level training cited poor integration as a contributing factor to their failing to complete Individual Entry Training.¹²⁰

Conclusions

1. Current Army Reserve policies to reduce the number of NP/UNSAT Soldiers are successful and should continue. The transfer of substandard Soldiers to the IRR is an effective tool that assists commanders in handling Soldiers they do not feel have further potential in the military.

¹²⁰Individual Entry Training (IET) consists of Basic Combat Training and Advanced Individual Training. Completion of IET is required for a Soldier to be considered trained.

2. Many Army National Guard Officers identified the ties they have to the local law enforcement community as a benefit when attempting to locate and recover absent Soldiers. Law enforcement has access to databases that have more current information on the location of individuals (drivers' license information, dealings with the courts, child support and employment information, etc.) These resources would not only benefit the military by aiding in locating service members, but the service members' rights would be protected. Many Soldiers who are discharged for unsatisfactory participation do not receive their notification letter or their separation and appeal instructions because their whereabouts are unknown.

While changes that allow the arrest of reserve members would require a new federal law, systemic cooperation between the USAR and local law enforcement could be approved at an appropriate level and the execution could be decentralized to the local units. USAR units currently coordinate with local law enforcement on physical security issues and criminal background checks for arms room access. The ongoing relationship between local law enforcement and the reserves could be leveraged to use the law enforcement data base to locate Soldiers.

3. There should be an increase the use of Army Reserve Career Counselors (79V) in the recovery process for Soldiers who have become UNSATS or NPs. Previous studies have identified the most often cited reasons reservists fail to complete their obligations, but this research has not translated into effective systems to prevent Soldiers from becoming non-participants.

Resource career counselors, especially the part-time USAR Career Counselors, at the local unit level could be utilized to improve the personnel recovery mission. While the career counselors have significant responsibilities to bring Soldiers into the Army Reserve from the IRR and to get current Soldiers to reenlist, these career counselors must be able to use duty hours to find and counsel Soldiers who have become NPs or UNSATs. This may require additional duty

days and the use of a government vehicle, but the successful recovery of a Soldier saves the Army Reserve approximately \$55,000, much less than the cost of having to discharge the current Soldier and then recruit and train a replacement.

The job description and the corresponding effectiveness metrics of the career counselor should be changed to include the units NPs or UNSATs rates for the units that the career counselor serves. The current official description of the Army Reserve career counselor does not include any mention of the recovery of NPs and UNSATs. The current effectiveness metrics that a career counselor is graded on are the metrics reflected in the 79V job description. While the primary responsibility for the recovery of a Soldier lies where it should, with the unit commander through the Soldier's first line-leader, the unit supporting career counselor has responsibility to assist the commander with recovery.

The Army Reserve Career Councilor Course, taught to new career counselors at the Army Reserve Regional Readiness Center located at Fort Knox, Kentucky, contains a block of instruction titled "Recover Unsatisfactory Participants".¹²¹ This block of instruction covers the basic definitions and policies regulating the management of UNSATs and NPs as well as a practical exercise where the students develop strategies to recover NP and UNSAT Soldiers. This training should be used as a component of the system to recover these Soldiers.

5. All company and detachment level units should be required to institute a program to physically visit and council Soldiers failing to attend a Battle Assembly. If the home or work address of a Soldier is known, the familial pressures put on the Soldier by receiving a visit from the unit may be enough for the service member to return to battle assembly.

¹²¹Michael Erskine, Course Director of the Army Reserve Career Counselors Course, Power point presentation from the ARRTC. (I got this from an instructor at the Army Reserve Readiness Training Center on January 16, 2014 located at Fort Knox. The source is a power point that is used for a class.)

Final Recommendation

With scarce resources caused by shrinking resources, the Army Reserve must continue reduce the number of Soldiers who fail to complete their obligations.

BIBLIOGRAPHY

- Alaska Department of Fish and Game. *2013-2014 Hunting Regulations*, 54th ed. Anchorage, AK: Anchorage Printing, 2013.
- _____. Subsistence in Alaska—A Year 2010 Update: Alaska Department of Fish and Game, Division of Subsistence. http://www.adfg.alaska.gov/static/home/library/pdfs/subsistence/subsistence_overview2010.pdf. (accessed 21 October 2013).
- Alaska National Guard Major. Interviewed by author. Fort Leavenworth, KS. 5 December 2013.
- Aten, R Bettina H. Figueroa, Eric B. and Martin, Troy M. “Real Personal Income and Regional Price Parities for States and Metropolitan Areas, 2007–2011.” http://www.bea.gov/scb/pdf/2013/08_percent20August/0813_regional_price_parities.pdf. (accessed 6 March 2014).
- Armed Forces Penal Provisions. *Absence without Leave*, 2010 Tennessee Code Title 58—Military Affairs, Emergencies and Civil Defense, Chapter 1—Military Forces, Part 6 (2010).
- Army National Guard. “Change to NOVALPAY Pay Accounting Methodology.” *Army National Guard G1 Personnel Gateway*, 9 April 2012. <https://glarng.army.pentagon.mil/pages/DisplayAnnouncement.aspx?AnnouncementID=154> (accessed 22 March 2014.)
- _____. “Army National Guard Organization.” *Army National Guard*, 2009. <http://www.arng.army.mil/aboutus/Pages/Organization.aspx> (accessed 23 February 2014).
- Army Reserve. “Army Reserve Commands,” Official Site of the United States Army Reserve, 25 March 2014. <http://www.usar.army.mil/ourstory/commands/Pages/default.aspx> (accessed 25 March 2014).
- _____. Update 3 to USAR PAM 600-5, *Personnel Actions Guide for Army Reserve Units*. Washington, DC: Government Printing of Office, 2005.
- _____. “Army Reserve Posture Statement 2013,” *Army Reserve*, 9 June 2013. <http://www.usar.army.mil/arweb/mission/ARPS/Documents/ARPS.pdf> (accessed 26 January 2013).
- _____. Operations Order 12-128, *Management of Non-Participants*. Fort Bragg, NC: U.S. Army Reserve Command, 18 September 2010.
- Aten, R. Bettina H., Eric B. Figueroa, and Troy M. Martin. “Real Personal Income and Regional Price Parities for States and Metropolitan Areas, 2007–2011.” http://www.bea.gov/scb/pdf/2013/08_percent20August/0813_regional_price_parities.pdf. (accessed 6 March 2014).
- Barrios-Choplin, Bob, Aimee Kominiak, and George W. Thomas. “Reasons for Unsatisfactory Participation in the Army Reserve.” Master’s Thesis, Naval Postgraduate School, Monterey, CA, 1999.

- Bishop, Myron. *20131003_NoValPaybymonth.xls*. Arlington, VA: Personnel Programs, Manpower, and Resources Division Army National Guard Readiness Center, 2013.
- Boehm, Bill. "Commentary: National Guard Milestone Law was signed June 3, 1916." Lanham: *Federal Information & News Dispatch, Inc.* (2013). <http://search.proquest.com/docview/1364540771?accountid=28992> (accessed October 2013).
- Carfano, James J. "The Army Reserves and the Abrams Doctrine: Unfulfilled Promise, Uncertain Future." Heritage Lecture #869, 2 (18 April 2005). <http://www.heritage.org/Research/NationalSecurity/hl869.cfm> (accessed 17 October 2013).
- Curries, Richard B., and James Crossland. *Twice the Citizen: A History of the United States Army Reserve*. Atlanta, GA: Office of the Army Reserve, 1984.
- Dahms, Jonathan A. *An Operational Army Reserve: Implications For Organizational Health*. Carlisle, PA: U.S. Army War College, 2007.
- Department of the Army. Army Regulation (AR) 135-178, *Enlisted Administrative Separations*. Washington, DC: Government Printing Office, 2014.
- _____. Army Regulation (AR) 135-7, *Army National Guard and Army Reserve Incentive Programs*. Washington, DC: Government Printing Office, 1996.
- _____. Army Regulation (AR) 135-91, *Service Obligations, Methods of Fulfillment, Participation, Requirements, and Enforcement Procedures*. Washington, DC: Government Printing Office, 2005.
- _____. Army Regulation (AR) 140-10, *Assignment, Attachments Details and Transfers*. Washington, DC: Government Printing Office, 15 August 2005.
- _____. DA Form 3540, *Certificate and Acknowledgement of U.S. Army Reserve Service Requirements and Methods of Fulfillment*. Washington, DC: Government Printing Office, September 2000.
- _____. *Reserve Components of the United States Military 2013*. Washington, DC: United States Army Force Management School, 2013, 4. <http://www.afms1.belvoir.army.mil/primers.php> (accessed 12 November 2013).
- _____. Army Pamphlet 27-50-415, "Military Justice in the National Guard: A Survey of the Laws and Procedures of the States, Territories by Robert Martin." *The Army Lawyer*. Washington, DC: Government Printing Office, December 2007.
- Department of Defense. Directive 1200.17, *Managing the Reserve Components as an Operational Force*. Washington, DC: Government Printing Office, 29 October 2008.
- _____. Instruction Number 1215.13, *Reserve Component (RC) Member Participation Policy*. Washington, DC: Government Printing Office, 11 May 2009.
- _____. *Military Pay Tables—1949 to 2013* Washington, DC: Defense Finance and Accounting Service, 2012. <http://www.dfas.mil/militarymembers/payentitlements/militarypaytables.html> (accessed 10 December 2013).

- Department of the Navy. Navy Regulation (NR), *BUPERS Instruction 1001.39F*. Washington, DC: Government Office, 17 September 2007.
- Erskine, Michael, Course Director of the Army Reserve Career Counselors Course. Power point presentation from the ARRTC. Fort Knox, Army Reserve Readiness Training Center, 16 January 2014.
- Fischer, Victor, and Pete Spivey. "Alaska Federation of Natives Implementation Study." Proposal to the United States Congress to implement the recommendations of the Alaska Natives Commission. Washington DC, Government Printing Office, December 1999.
- Former Battery Commander of the TN ARNG. Interviewed by author. Fort Leavenworth, KS, 28 February 2014.
- Gates, Thomas S. Jr. "The Report of the President's Commission on the All-Volunteer Armed Force." Washington, DC: Government Printing Office, February 1970.
- Harley, Cathy. "Using Excel for Statistical Analysis." *Investigative Reports and Essays—Tipsheets* (22 March 2014). http://ire.org/media/uploads/car2013_tipsheets/excel_stats_nicar2013.pdf (accessed 22 March 2014).
- HB2861—Tennessee." State Surge, 11 October 2009. <http://www.statesurge.com/bills/hb2861-tennessee-29856/description> (accessed 22 March 2014).
- Hoffman Laura L. "Nonparticipants (NPS) and Unsatisfactory Participants (UNSATS)." Information Paper. Fort Bragg, NC: U.S. Army Reserve Command, 2 August 12.
- Holmes, Chuck. "How to Manage the Noval, Non Val or Novalpay Report." Part-time Commander. Last modified 21 February 2014. <http://www.part-time-commander.com/how-to-manage-the-noval-non-val-or-no-validated-pay-report/> (accessed 22 March 2014).
- Judge Advocate General for the Inspector General of Joint Headquarters of the TN ARNG. Telephonic interview by author. Fort Leavenworth, Kansas. 11 February 2014.
- Kocher, Kathryn M., and George W. Thomas. "Profile of Unsatisfactory Participant Losses from the USAR." Master's Thesis, Naval Postgraduate School, Monterey, CA, 1999.
- Lovelace, James. CNGR Public Hearings Witness Statements, *Commission on the National Guard and Reserves*, (12 April 2007): 3. <http://www.cngr.gov/public-hearings-events-April07.asp> (accessed 26 April 2009).
- Microsoft Corporation. "Correl." *Microsoft Office Online Help—Excel*, 22 March 2014. <http://office.microsoft.com/en-us/excel-help/correl-HP005209023.aspx> (accessed 22 March 2014).
- Moore, Darrell. "Statement of Major General Darrell L. Moore United States Marine Corps Before the Senate Appropriations Committee Subcommittee On Defense-Guard and Reserves." Washington, DC, 11 May 2011.

- Mueller, Jennifer. "Why Individuals in Large Groups Perform Worse." *Organizational Behavior and Human Decision Processes*, 117 (January 2012): 111-24.
- Odierno, Raymond. "Chief of Staff of the Army Press Conference On Army Force Structure Reductions (As Prepared)." *Army.Mil* (23 June 2013). <http://www.army.mil/article/106355/> (accessed 23 February 2014).
- Office of the Assistant Secretary of Defense for Reserve Affairs. RC 101, *Reserve Component Categories*. Washington, DC: Government Printing Office, June 2005. <http://ra.defense.gov/documents/publications/RC101%20Handbook-updated%2020%20Sep%2005.pdf> (accessed 3 March 2014).
- Owens, B. Lynne. "Army Reserve G1 Informational Brief." Lecture, USAR Battalion Brigade Pre-Command Course. Raleigh, NC, 16 January 2014.
- Pennsylvania Joint Headquarters full-time legal support officer. Telephonic interview by author. Fort Leavenworth, Kansas. 11 February 2014.
- Peterson-Drake, Pamela. "Regression Step-by-Step Using Microsoft Excel," *Fin 360—Readings* http://educ.jmu.edu/~drakepp/FIN360/readings/regression_excel.pdf (accessed 6 March 2014).
- Punaro, Arnold L. Memorandum for the Secretary of Defense from the Reserve Forces Policy Board (RFPB) dated 6 May 2013.
- Raguindin, Lt Col Shirley, Director, ANG Diversity Operations. *ANG Diversity Demographics Snapshot Grade Trends by Race and Ethnicity*. <http://www.nationalguard.mil/jointstaff/zc/joint/docs/ANG%20Trends%20-%20Grade%20by%20Race%20and%20Ethnicity.pdf> (accessed on 31 January 2013).
- Rostker, Bernard. *Assessing the Structure and Mix of Future Active and Reserve Forces*. Santa Monica, CA: Rand, 1992.
- _____. *I Want You! the Evolution of the All-Volunteer Force*. Santa Monica, CA: Rand Corporation, 2006, v.
- Sher, Andy. "Guard AWOL Bill Sent to Governor." *Times Free Press*, 1 April 2008. <http://www.timesfreepress.com/news/2008/apr/01/guard-awol-bill-sent-governor/> (accessed 22 March 2014).
- Stewart, Richard W. *American Military History*. CMH Pub, 2nd ed. Vol. 1. Washington, DC: Center of Military History, 2009-2010.
- Stultz, Jack. Memorandum Dated 17 January 2012, Subject: Reassignment of Unsatisfactory Participants (UNSATS) to the Individual Ready Reserve (IRR). Fort Bragg, NC: United States Army Reserve Command, 2012.
- Talley, Jeffery. *Rally Point*. Fort Bragg, NC: United States Army Reserve Command, 2012. http://www.eturabian.com/turabian/school_Pamphlets_etc_online.html (accessed 23 February 2014).
- Talacchi, Sergio. "Organization Size, Individual Attitudes and Behavior: An Empirical Study." *Administrative Science Quarterly* 5, no. 3 (December 1960): 398-420.
- Tennessee Code. "Title 40—Criminal Procedure Chapter 35—Criminal Sentencing Reform Act of 1989 Part 1—General Provisions 40-35-111—Authorized terms of imprisonment and

- finer for felonies and misdemeanors" (2010). <http://law.justia.com/codes/tennessee/2010/title-40/chapter-35/part-1/40-35-111> (accessed 22 March 2014).
- Tennessee National Guard former battery commander. Interviewed by author. Fort Leavenworth, Kansas. 11 February 2014
- Thornton, Thomas. "Alaska Native Subsistence: A Matter of Cultural Survival." *Cultural Survival* 22, no. 3 (Fall 1998): 1. <http://www.culturalsurvival.org/ourpublications/csq/article/alaska-native-subsistence-a-matter-cultural-survival> (accessed 25 March 2014).
- United States Air Force. *Reserve Components of the United States Military 2013*. Washington, DC: United States Army Force Management School, 2013, 4. <http://www.afms1.belvoir.army.mil/primers.php> (accessed 12 November 2013).
- Uniform Code of Military Justice. Public Law 101-189, § 1701, *U.S. Statutes at Large* 127 (2013): 1, codified at *U.S. Code* 10 (2013), § 801
- United States Army Reserve. "Army Reserve Commands." Official Site of the United States Army Reserve, 25 March 2014, <http://www.usar.army.mil/ourstory/commands/Pages/default.aspx> (accessed 25 March 2014).
- U.S. Congress, House. *National Defense Authorization Act for Fiscal Year 2014*, H.R. 3304, 113th Congress, 2013. <http://www.govtrack.us/congress/bills/113/hr3304> (accessed 25 March 2014).
- _____. *Department of Defense Appropriations Bill, 2013*, 112th, 2d sess., 2012, H. Rep. 112-493, 11.
- U.S. Congress, Senate. Brigadier General Thomas Katkus, Commander, Alaska Army National Guard S, HRG. 110-278, *Health Care for Alaska Native Veterans Returning from Kuwait and Iraq and Other Veterans Living in Alaska Native Villages Field Hearing Before the Committee on Indian Affairs*, 110th Congress, 1st Sess., 30 November 2007.
- Walker, Clarence Lee. "Calling Forth the Militia." *The Officer* 86, no. 5: 54-57. <http://search.proquest.com/docview/884788243?accountid=28992> (accessed on 23 February 2014).
- Winkler, John D., Barbara A. Bicksler, Thomas F. Hall, and William A. Navas, eds. *The New Guard and Reserve*. San Ramon, CA: Falcon Books, 2008.